EXHIBIT 9

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UNITED STATES PATENT AND TRADEMARK OFFICE
DEPARTMENT OF COMMERCE

Town Hall Meeting on Patent Claims and Continuation Practice

Alexandria, VA
April 25, 2006

John J. Doll

Commissioner for Patents

Proposed Rules Presentations

- This is the last in a series of public presentations on the proposed rules packages
- USPTO-sponsored Town Hall meetings have been held in Chicago, Berkeley, Houston
- USPTO representatives have also made presentations on the proposed rules at 13 other events around the country
- Comment period ends May 3, 2006

Today's Meeting - Agenda

- **Brief overview of the proposed rules packages**
- **Invited guest panelists**

  AIPLA - Charles E. Van Horn

  Federal Trade Commission - Suzanne T. Michel

  Georgetown University - Jay R. Thomas

  IPO - Herbert C. Wamsley
- **Open microphone session**
- **Closing remarks**

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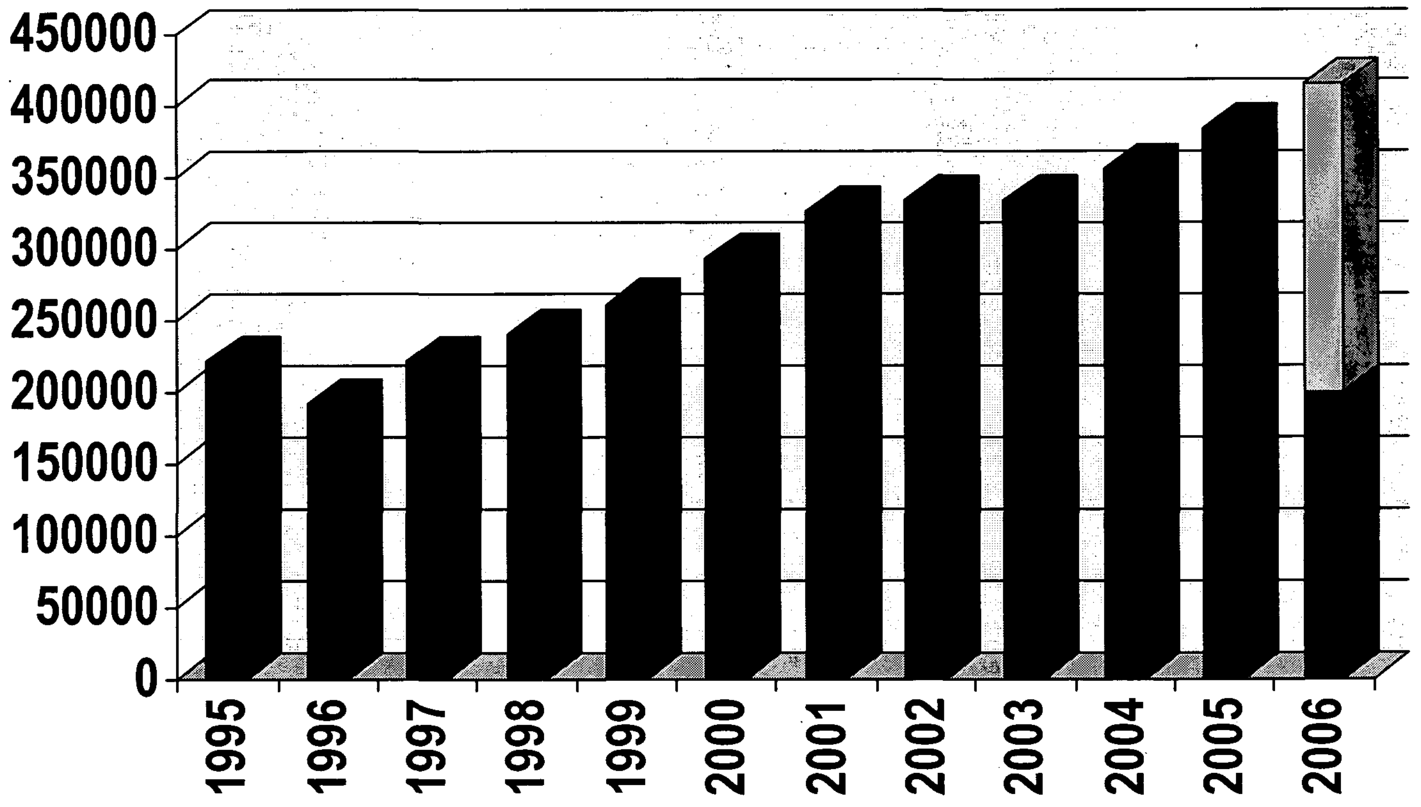
Jay P. Lucas

Deputy Commissioner for Patent Examination Policy

The Need for Change

- **USPTO has an unacceptable backlog of applications**
  - About 1,000,000 pending Utility, Plant and Reissue applications
  - About 625,000 have not received a first action
  - Average time to first action is between 18 and 33 months, depending on Technology Center
  - Filings continue to increase

UPR Applications Filed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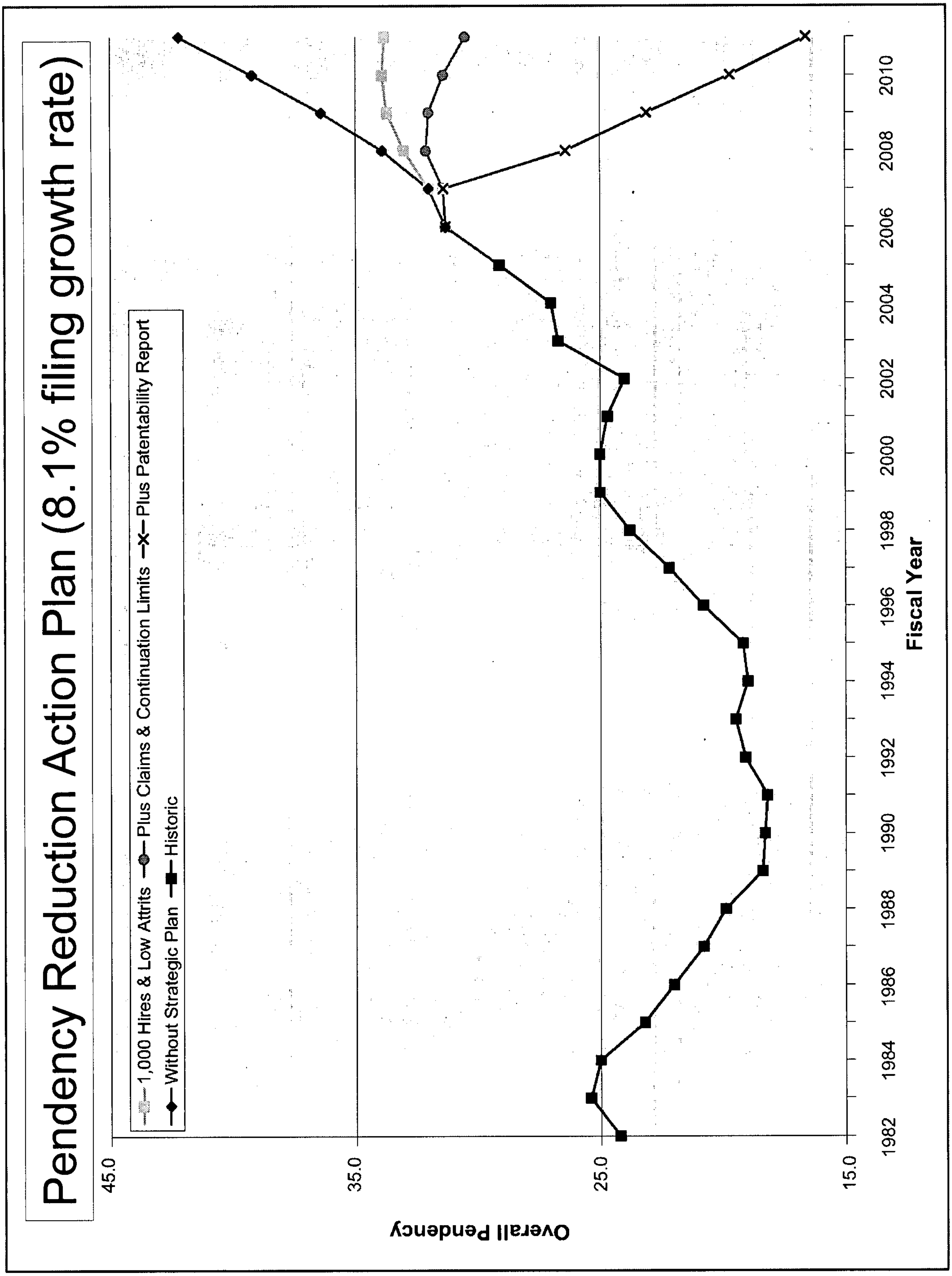
2006

- FY 06 plan 414,966 (8% above FY 05)
- 199,922 as of 3/31/2006
- Current projection 0.8% under plan

We can't hire our way out…

- **Hired nearly 1,000 examiners in FY 2005**
- **Hiring 1,000 again in FY 2006**
  - Improved hiring and training practices to reach these targets
- **Even with these hires, pendency doesn't turn around**


Pendency Reduction Action Plan (8.1% filing growth rate)
1,000 Hires & Low Attrits
Plus Claims & Continuation Limits
Plus Patentability Report
Without Strategic Plan
Historic
Overall Pendency
45.0
35.0
25.0
15.0
Fiscal Year
1982
1984
1986
1988
1990
1992
1994
1996
1998
2000
2002
2004
2006
2008
2010

Hires and Attritions

	1600	1700	2100	2600	2800	3600	3700	Corps	Design
FY 05 BOY Examiner Staff	417	440	563	658	742	422	439	3681	72
FY 05 Hiring	101	58	225	169	184	91	131	959	19
FY 05 Attrits	42	39	93	92	54	55	50	425	10
FY 06 Hiring Goal	75	35	256	256	178	100	100	1000	20
FY 06 hires (3/31/06)	51	26	76	64	66	37	35	355	0
FY05 Hires as a Percent of Examiner Staffing in the TC	24%	13%	40%	26%	25%	22%	30%	26%	26%

Claims Rule Package

- Focuses initial examination on applicant-designated representative claims
- No limit on the number of claims filed or allowed
- Applicant may select up to 10 representative claims, including all independent claims
- If an application requires more than 10 representative claims, applicant must submit an examination support document that covers all the representative claims designated for examination
- 71 *Fed. Reg.* 61 (03 January 2006)

Continuations Rule Package

- Limits the number of continuations and RCEs that may be filed by right
- Focuses interaction between applicants and examiners on the initial actions in prosecution
- Allows filing of additional continuations or RCEs with appropriate showing
- Focuses examining resources on new applications
- 71 *Fed. Reg.* 48 (03 January 2006)

Related changes

- **Forthcoming rule packages**
  - IDS practice
  - Markush claims
- **Internal procedural changes to follow**
  - Change MPEP and other policies to improve examination practice
  - Internal changes will complement the final rules

Feedback

- Comment period on the proposed rules closes May 3, 2006
- Open to alternative solutions that fix these problems
- Need constructive suggestions rather than simple complaints about these proposed solutions
- Comments addresses:

  Continuations: AB93Comments@uspto.gov

  Claims: AB94Comments@uspto.gov

Guest Panelists

AIPLA

- Charles E. Van Horn

Federal Trade Commission

- Suzanne T. Michel

Georgetown University

- Jay R. Thomas

IPO

- Herbert C. Wamsley

Guest Panelists

1. Other Solutions

   If you disagree with the proposed rule changes to continuations and claims as the solution to the current challenges facing the USPTO, then, other than hiring, what regulatory or procedural solutions would you recommend?

Guest Panelists

2. Continuations/Balance of rights

Continuation practice is viewed by some members of the Patent community as the proper way to ensure that applicants obtain full protection for the most desirable implementations of their ultimate commercial products. What should be the proper balance between applicants maximizing their return on their invention and the notice function of patent claims?

Guest Panelists

3. Examination Focus

The USPTO proposal includes focusing the initial examination on a representative set of claims. Do you feel this will positively impact the quality of examination? If not, why not?

Open Microphone

John J. Doll

Commissioner for Patents

James A. Toupin

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Deputy Commissioner for Patent Examination Policy

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UNITED STATES PATENT AND TRADEMARK OFFICE
DEPARTMENT OF COMMERCE

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Thank You